

UP 2813



PATENT
30205/37916

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jae Hong Kim and Sang Ick Lee
Serial No.: 10/038,375
Filed: January 4, 2002
For: Chemical Mechanical Polishing Slurry and Process for Ruthenium Films
Group Art Unit: 2813
Examiner: Timothy J. Sutton

I hereby certify that this paper and the documents referred to as enclosed therewith are being deposited with the United States Postal Service as first class mail, postage prepaid, on September 9, 2002, in an envelope addressed to Commissioner for Patents, Washington, D.C. 20231.
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Action
J. Macmillan
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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the restriction requirement imposed in the office action mailed on August 20, 2002, applicants hereby elect Group I, claims 1-13, *with traverse*.

Applicants respectfully submit that the restriction requirement is improper for the following reasons. Specifically, applicants respectfully submit that the claims of Groups I-IV all have unity of invention and, a proper search for Group I would necessarily cover the classes and subclasses of Groups II-IV.

Further, with respect to the restriction between Groups I and II as well as Groups I and III, the Patent Office justifies these restrictions alleging that the slurry of Group I could be used in a CMP process for tantalum nitride instead of ruthenium despite the fact that the slurry of Group I is clearly designed for ruthenium as set forth throughout the specification. Again, a search of the subject matter Group I would necessarily cover the subject matter of Groups II and III.

With respect to the restriction between Groups I and IV, the Patent Office justifies this restriction based upon the subject matter of the two groups cannot be used together. However, the semiconductor device of Group IV is made using the slurry of Group I. Again, a search of one would necessarily cover the subject matter of the other.

Accordingly, applicants respectfully submit that the restrictions are improper and should be withdrawn.

An early action on the merits is respectfully requested.

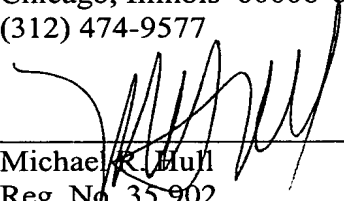
The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Respectfully submitted,

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September 9, 2002

By:



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